



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
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www.rowlett.com

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Tuesday, October 18, 2011

5:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Present: Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

1. CALL TO ORDER

Mayor Gottel called the meeting to order at 5:30 p.m.

CONVENE INTO EXECUTIVE SESSION

2. EXECUTIVE SESSION

There were no Executive Session items.

RECONVENE INTO OPEN SESSION

Convened into Work Session at 5:30 p.m.

3. WORK SESSION ITEMS (5:30 P.M.)

- 3A. Update on Toler Road Public Meeting regarding Speed Cushions or President George Bush Turnpike Direct Connection. (30 minutes)

Staff brought forth the results of the September 29th Toler Road Public Meeting. Stated staff communicated via door hanger, median signs, Code RED messages and on the City's website. Spoke regarding the survey results from the September 29th meeting.

Council thanked staff, the Traffic and Safety Advisory Commission and Toler Road residents for their work on this issue.

Staff was questioned regarding the funding of the speed cushions.

Staff stated the money for the speed cushions will be funded through Cash CIP.

3B. Hear a presentation on the current state of the drought and Rowlett's response. (20 minutes)

Staff gave a PowerPoint presentation. Spoke regarding the problems the North Texas Municipal Water District (NTMWD) is facing including zebra mussels in Lake Texoma and the low lake levels of Lake Lavon and Lake Chapman. Spoke regarding the different strategies approved by the NTMWD's Board to address the shortages and the Lake Texoma and Trinity River pipelines.

Staff reviewed the City's Drought Contingency Plan. Stated the purpose of the Plan is to:

- To conserve the available water supply in times of drought and emergency
- To maintain supplies for domestic water use sanitation and fire protection
- To protect and preserve public health welfare and safety
- To minimize the adverse impacts of water supply shortages
- To minimize the adverse impacts of emergency water supply conditions

Staff spoke regarding strategies requested by NTMWD and those recommended by City.

3C. Discussion regarding the updated Parks Master Plan. (20 minutes)

Staff gave a brief history of the Parks Master Plan.

Holly Dawson, representative of La Terra Studio, spoke concerning the community survey results. With the results, they were able to create strategies for the Parks Master Plan.

Staff spoke concerning the Parks and Recreation Advisory Board's recommendations including the emphasis of a dog park and improvements to Paddle Point Park. Stated the updated Plan is built on the 2004 Parks Master Plan as good items still exist in the previous Plan.

Staff stated citizens want a sustainable community, with pedestrian and biking trails. Those items are currently being considered with the Realize Rowlett 2020 Project.

Council urged the Parks and Recreation Advisory Board to keep in mind that as the City changes to keep the Plan relevant to Realize Rowlett 2020.

3D. Discussion of proposed revisions to Signage section of Rowlett Development Code. (20 minutes)

Staff gave a brief history of this item and presented a PowerPoint presentation.

The proposed sign revisions consist of:

- Reformatting specific regulations into a table
- Making regulations more user friendly
- Allowing a greater variety of sign types
- Clarifying measurements, wall sign regulations, and flags
- More clear and improved regulations on Electronic Message Boards
- Regulating and permitting temporary signs

The various signage discussed included: hanging signs, marquee signs, roof signs, A-frame signs, temporary signs, human signs, flags with commercial messages, vehicular signs, electronic message boards and amortization of non-conforming signs. Stated the revisions will clean up the Code and make it more user friendly.

Council voiced concern regarding charging for temporary permits.

Staff stated the fees would recover the costs for personnel maintaining and tracking the temporary permits.

Council came to a consensus to bring this item back as another Work Session item at a future meeting.

4. **DISCUSS CONSENT AGENDA ITEMS**

No items were removed from the Consent Agenda to be considered individually.

CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)

Convened into the Council Chambers at 7:31 p.m.

INVOCATION

The invocation was led by Councilmember Gallops.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Phillips.

TEXAS PLEDGE OF ALLEGIANCE

The Texas Pledge of Allegiance was led by Mayor Gottel.

5. PRESENTATIONS AND PROCLAMATIONS

5A. Proclamations for the 2011 winners of the Rowlett Arts & Humanities Commission's Photography Contest.

Councilmember Davis along with Library Director Kathy Freiheit and Arts and Humanities Commission member Mary Drayer presented the winners of the 2011 Rowlett Arts & Humanities Commission's Photography Contest with a proclamation.

5B. Proclamation recognizing the week of October 17-21, 2011 as Chamber of Commerce Week.

Deputy Mayor Pro Tem Kilgore presented the President of the Rowlett Chamber of Commerce and the Board of Directors with a proclamation recognizing Chamber of Commerce Week.

5C. Hear presentation of the Monthly Financial Report for the period ending August 31, 2011.

Staff gave a presentation regarding the Monthly Financial Report for period ending August 31, 2011.

5D. Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interests.

Members of Council and Management gave a brief update to the Council on the various activities in the City including the October 4th National Night Out Neighborhood Events; Early Voting for the Constitutional Amendments will begin the week of October 24th; the Big Boo Bash will be held on October 28th at the Community Centre beginning at 6:00 p.m.; the Animal Shelter Adopt-a-Thon will be held on October 29th at the Animal Shelter beginning at 10 a.m.; the 6th Annual Spooktacular will be held on October 29th at the Library beginning at 2:00 p.m.; the City Manager's Book Club will be held on October 20th at the Library beginning at 7:00 p.m.; the Veterans' Day Ceremony will be held on November 11th at Veterans Park beginning at 4:30 p.m.; the Holiday Parade and Festival will be held on November 19th on Main Street beginning at 10:00 a.m.; the Community Centre now offers extended hours on Saturdays and Sundays;

City offices will be closed for the following days to observe Thanksgiving, Christmas and New Years: November 24th and 25th, December 23rd and 26th, and January 2nd; and the Rowlett Chamber of Commerce's 6th Annual Taste and Trade will be held at Rowlett High School on October 27th beginning at 5:30 p.m.

Staff spoke regarding the City not participating in the regional celebration of the Grand Opening for the President George Bush Turnpike. Stated NTTA was to give the City a set grand opening date with 12 weeks advance notice; without which it is not possible to coordinate the various entertainments. Stated the City will have a celebration early next year and will move forward with the traditional Christmas Tree Lighting Celebration, the date has yet to be determined.

6. CITIZENS' INPUT

1. Craig Greer – 3201 Toler Road, Rowlett – Spoke concerning speed cushions on Toler Road.
2. Rod Standley – 3309 Toler Road, Rowlett – Spoke concerning speed cushions on Toler Road.
3. Cindy Rushing – 6305 Joel Court, Rowlett – Spoke concerning speed cushions on Toler Road and forming a Public Improvement District.
4. Sam Collins – 3214 Toler Road, Rowlett – Spoke regarding the quality of life on Toler Road.
5. Joyce Bradley – 3306 Toler Road, Rowlett – Spoke concerning speed cushions on Toler Road.
6. Craig Deaton – 4206 Toler Road, Rowlett – Spoke concerning speed cushions on Toler Road.
7. Darryl Torske – 4005 Toler Road, Rowlett – Spoke concerning speed cushions on Toler Road.
8. Dennis Smith – 4302 Toler Road, Rowlett – Spoke concerning speed cushions on Toler Road; would like to delay the discussion of possibility extending the Toler Road extension to the President George Bush Turnpike service road for six months after the completion of the turnpike.
9. Lloyd Osborn – 3114 Toler Road, Rowlett – Spoke concerning speed cushions on Toler Road.

7. CONSENT AGENDA

No items were removed from the Consent Agenda to be considered individually.

Interim City Secretary read the items into the record.

- 7A.** Consider approving minutes from the October 4, 2011 City Council Regular Meeting.

This item was approved on the Consent Agenda.

- 7B. Consider action to approve a resolution authorizing the first of two one-year options to extend the annual contract for concrete repair/replacement for sidewalks, curbs, gutters, and utility cuts to Platinum Paving in the unit amounts bid and an estimated annual amount of three hundred ten thousand five hundred fifty dollars (\$310,550) and authorizing the Mayor to execute the Standard Public Works Construction Contract for said service.

This item was approved as RES-152-11 on the Consent Agenda.

- 7C. Consider a resolution awarding a bid to APAC-Texas, Incorporated for the purchase of hot mix asphalt in the unit amounts bid and an annual amount not to exceed ninety thousand dollars (\$90,000) through the Interlocal Cooperative Purchasing Agreement with Dallas County for road materials for the Street Department.

This item was approved as RES-153-11 on the Consent Agenda.

- 7D. Consider a resolution awarding a bid to A&M Construction & Utilities in the amount of four hundred fifty-one thousand three hundred dollars and no cents (\$451,300) and approving a contingency in the amount of forty-five thousand one hundred thirty dollars and no cents (\$45,130.00) (10%) for a total project budget of four hundred ninety-six thousand four hundred thirty dollars and no cents (\$496,430.00) for the refurbishing of the Merritt Road Ground Water Storage Tanks and authorize the Mayor to execute such agreement.

This item was approved as RES-154-11 on the Consent Agenda.

- 7E. Consider a resolution authorizing the final acceptance of the emergency installation of access points on the 24-inch Eastside Lift Station Force Main and cleaning and inspection, ratify the emergency increase in contingency and approving the increase in the project contingency of two thousand seven dollars and sixty-eight cents (\$2,007.68) for a total project amount of one hundred four thousand five hundred nineteen dollars and fifty-four cents (\$104,519.54), and approve the release of retainage for a final payment in the amount of five thousand nine hundred eleven dollars and twenty-two cents (\$5,911.22) plus accrued interest on the retainage to Wright Construction Company.

This item was approved as RES-155-11 on the Consent Agenda.

- 7F. Consider a resolution approving Task Order Number 18-GA to the approved Professional Services Agreement with Grantham & Associates, Incorporated for the Long Branch Hydraulic Study Update from Kyle Road to Main Street and Main Street Conceptual Drainage Design in the amount of the forty-nine thousand three hundred fifty-two dollars and no cents (\$49,352).

This item was approved as RES-156-11 on the Consent Agenda.

- 7G.** Consider a resolution approving the fourth and final one-year renewal option to extend the agreement with Nortex Concrete Lift and Stabilization, Incorporated for pavement leveling services in the unit amounts bid as amended and an estimated annual amount of one hundred thousand dollars (\$100,000) through the Interlocal Cooperative Purchase Agreement with the City of Grand Prairie and authorize the Mayor to execute the necessary documents for said services.

This item was approved as RES-157-11 on the Consent Agenda.

- 7H.** Consider action to approve a resolution amending City Council Rules of Procedures Section 9.6 Travel Authorization and Expense Allowance Authorization to allow Councilmembers to attend training that costs less than \$1,000 per occurrence without Council approval; require all travel expenditures per occurrence greater than \$1,000 to have Council approval; and require City Council approval for all out-of-state travel.

This item was approved as RES-158-11 on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Davis, including all the preceding items marked as having been approved on the Consent Agenda and amending the dollar amount that was read into the record for Item 7B. The motion carried by the following vote:

Ayes: 7 Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

8. ITEMS FOR INDIVIDUAL CONSIDERATION

- 8A.** Conduct a public hearing as required by law and consider action to approve an ordinance repealing the goods-in-transit exception from taxation.

This item followed Item 8D.

Mayor Gottel read the item into the record.

Staff gave a brief history of this item.

A member of Council voiced concern about economic development and warehousing along the President George Bush Turnpike.

The public hearing opened and closed at 9:25 p.m. with no one speaking.

City Attorney stated if an ordinance is passed, the Council can repeal the ordinance in the future.

A motion was made by Mayor Pro Tem Phillips, seconded by Deputy Mayor Pro Tem Kilgore, to approve the item as read. This item was adopted as ORD-026-11. The motion carried by the following vote:

Ayes: 7 Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

- 8B.** Consider and take action regarding a request for painted brick as an alternative building material for a restaurant with drive-thru in an existing lease space located at 1700 Dalrock Road.

Mayor Gottel read the item into the record.

Staff gave a brief presentation regarding this item. Stated it was staff's oversight to notice the painted brick notations while reviewing the Development Plan; thus resulting in the building being painted corporate colors.

A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Davis, to approve the item as read. This item was adopted as RES-159-11. The motion carried by the following vote:

Ayes: 7 Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

- 8C.** Conduct a public hearing and consider approval of an Ordinance granting PD – Planned Development zoning with M2 - General Manufacturing base zoning for property located at 2202 Lakeview Parkway.

Mayor Gottel read the item into the record.

Staff gave a brief history of this item.

Paul Bland, Title Max Director of Real Estate, spoke concerning this item. Stated the zoning of the property does not permit a financial institution use in an M-2 – General Manufacturing based zoning. Spoke concerning a corporate error that was made while researching the property.

Spoke concerning the type of brick to use in the façade and the amount of parking the business will incur.

Staff explained the easement access on the property. Stating if the item is approved, the recording of the easement will need to take place within 30 days of approval.

Members of Council spoke concerning what is right for the zoning; changing the zoning; the opportunity to upgrade the Lakeview Parkway corridor; and the masonry requirement.

The public hearing opened and closed at 10:02 p.m. with no one speaking.

At a meeting of the City Council on October 18, 2011, a motion was made by Councilmember Gallops to approve the agenda item as read with three conditions: 1. The cross access easement be recorded within 30 days of approval of a Planned Development Ordinance; 2. The awning sign on the building as shown in Exhibit G be removed and reinstalled to allow installation of a continuous plaster sign strip behind this sign. 3. A compatible half brick style of brick be utilized for the façade improvements shown in Exhibit G.

Deputy Mayor Pro Tem Kilgore propose that the motion be amended to include a provision that Exhibit F would be amended to reflect that the exterior improvements as depicted in Exhibit G; approval would be conditioned upon those exterior improvements.

Councilmember Gallops accepted Deputy Mayor Pro Tem Kilgore's amendment as a friendly amendment. Deputy Mayor Pro Tem Kilgore seconded the motion as amended. The item passed as ORD-027-11. The motion carried with the following vote:

Ayes: 7 Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

- 8D.** Consider action to approve a resolution awarding the bid for the purchase and installation of speed cushions and signs at various locations in the City of Rowlett to Wall Enterprises in the amount of eighty-four thousand seven hundred twenty-four and seventy cents (\$84,724.70) and authorizing the Mayor to execute the necessary documents for said products and services.

This item followed the Consent Agenda.

Mayor Gottel read the item into the record.

Members of Council spoke regarding the traffic studies, traffic stabilization, speed counter measures, signage at curbs, changing the speed limit, traffic patterns, potential safety issues and the uniqueness of Toler Road.

A motion was made by Councilmember Miller, seconded by Mayor Pro Tem Phillips, to table the vote on the speed cushions for six month until after the President George Bush Turnpike is completed and at that time to monitor the traffic on Toler Road. The motion failed with the following vote:

Ayes: 3 Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore and Councilmember Miller

Noes: 4 Mayor Gottel, Councilmember Davis, Councilmember Pankratz and Councilmember Gallops

A motion was made by Councilmember Davis to approve the item as read but failed due to a lack of a second.

A motion was made by Deputy Mayor Pro Tem Kilgore, seconded by Councilmember Gallops, to deny the resolution to award the bid. The motion to deny passed with the following vote:

Ayes: 4 Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Miller and Councilmember Gallops

Noes: 3 Mayor Gottel, Councilmember Davis and Councilmember Pankratz

Item 8A followed this item.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

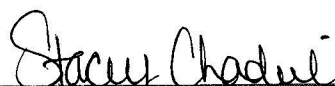
There were no Executive Session items.

9. ADJOURNMENT

Mayor Gottel adjourned the meeting at 10:05 p.m.



Todd W. Gottel, Mayor



Stacey Chadwick, Interim City Secretary

Date Approved: November 1, 2011